



MINUTES

FPB Board Meeting

5:00 PM - Tuesday, July 18, 2023
Community Room

The Frankfort Plant Board met on Tuesday, July 18, 2023 at 5:00 PM in the Community Room.

ATTENDANCE:

John Cubine, Board Chair
John Snyder, Board Vice Chair
Stephen Mason, Board Secretary/Treasurer
Kathryn Dutton-Mitchell, Board Member
Jason Delambre, Board Member
Gary Zheng, General Manager
David Billings, Director of Water Operations
Katrina Cummins, Finance Director
David Denton, Chief Financial Officer
Vent Foster, Chief Operations Officer
Adam Hellard, Cable/Telecom Superintendent
Cathy Lindsey, Communications & Marketing Director
Kathy Poe, Executive Assistant to GM
Hance Price, Assistant GM Administration/Staff Attorney
Leigh Ann Phillips, Support Services Director
Deron Rambo, Network Operations Center Director
Travis McCullar, Chief Electric Engineer
Jennifer Hellard, Purchasing Agent
Nichell Brown, Human Resource Director
Shane Holt, Asst. Cable/Telecom Superintendent
David Columbia, Community Television Coordinator
Brian Bourne, Water Distribution Superintendent
JC Lyons, Safety Director
Danny Harring, Asst. Water Distribution Superintendent
Sharmista Dutta, Water Engineer
Mike Harrod, Telecom Engineering Manager
Ryan Henry, IT Director
State Journal

- 1 ACTION ITEM: APPROVAL OF MINUTES
 - 1.1 Consider Approving the Minutes for the June 27, 2023 Special Board Meeting.

Stephen Mason moved to approve the Minutes for the June 27, 2023 Special Board meeting. John Snyder seconded the motion. CARRIED. 5 to 0.

2 INFORMATIONAL ITEM: PUBLIC COMMENT

2.1 None

3 INFORMATIONAL ITEM: DEPARTMENTAL REPORTS

- PUBLIC INFORMATION
- POTENTIAL OR AGREED UPON RELATED PARTY TRANSACTIONS
None Reported.
- NETWORK OPERATIONS CENTER (NOC)
- CUSTOMER SERVICE
- TELECOMMUNICATIONS
- ELECTRIC DEPARTMENT
- SEPA
- KYMEA
- SAFETY
- WATER DISTRIBUTION
- WATER TREATMENT PLANT

4 ACTION ITEMS:

- 4.1 Review and Accept GM Evaluation for Fiscal Year Ending June 30, 2023.
(John Cubine to discuss)

Stephen Mason moved to accept GM Evaluation for Fiscal Year Ending June 30, 2023. Jason Delambre seconded the motion. CARRIED. 5 to 0.

- 4.2 Consider Wage Increase for General Manager. (John Cubine will discuss)

John Snyder moved to approve General Manager to receive a 5% salary increase. Kathryn Dutton-Mitchell seconded the motion. CARRIED. 5 to 0.

- 4.3 Consider Approval of Amended General Manager Employment Contract.
(John Cubine will discuss)

Jason Delambre moved to approve the Amended General Manager Employment Contract through June 30, 2028. Kathryn Dutton-Mitchell seconded the motion. CARRIED. 5 to 0.

- 4.4 Consider Approval of General Manager Evaluation Criteria for FY 2024. (John Cubine will discuss)

John Snyder moved to adopt GM Evaluation criteria as listed on form. Stephen Mason seconded the motion. CARRIED. 5 to 0.

- 4.5 Consider approving public Hearing Notice covering: (1) Establishing rates for new tier of NEXTBAND and (2) Updating Section X of Tariff. (Cathy Lindsey will discuss)

Staff recommends the Board approve the Public Notice for the purpose of conducting a Public Hearing at the next scheduled board meeting of the Frankfort Plant Board on July 18th at 5:00 p.m. at the FPB Administration Building Community Room at 151 Flynn Avenue, Frankfort, KY 40601.

1) Establishing rates for tier of NEXTBAND service.

The public notice proposes to establish a new tier of NEXTBAND service for residential and business customers and update Max Upload speeds. New services are in RED.

Residential High-Speed Internet Service					
Package	Max Download Speed	Max Upload Speed	Rate	Two Service Rate	Three Service Rate
128K	128 Kbps	128 Kbps	\$22.00	\$20.00	\$18.00
256K	256 Kbps	128 Kbps	\$26.00	\$24.00	\$23.00
512K	512 Kbps	128 Kbps	\$32.00	\$30.00	\$29.00
Lite	1 Mbps	128 Kbps	\$34.00	\$31.00	\$28.00
Standard	25 Mbps	3 Mbps	\$44.00	\$41.00	\$38.00
Premium	50 Mbps	5 Mbps	\$56.00	\$53.00	\$50.00
Ultra	100 Mbps	10 Mbps	\$68.00	\$65.00	\$62.00
Elite	250 Mbps	10 Mbps	\$80.00	\$77.00	\$74.00
NEXTBAND 300	300 Mbps	300 Mbps	\$80.00	\$77.00	\$74.00
NEXTBAND 500	500 Mbps	500 Mbps	\$90.00	\$87.00	\$84.00
NEXTBAND 1000	1000 Mbps	1000 Mbps	\$100.00	\$97.00	\$94.00

Business High-Speed Internet Service						
Package	Max Download Speed	Max Upload Speed	Rate	2 Service Rate	3 Service Rate	Business Bundle
Lite	1 Mbps	128 Kbps	\$52.00	\$47.00	\$37.00	N/A
Standard	25 Mbps	3 Mbps	\$82.00	\$67.00	\$57.00	\$47.10
Premium	50 Mbps	5 Mbps	\$112.00	\$87.00	\$77.00	\$67.10
Ultra	100 Mbps	10 Mbps	\$142.00	\$107.00	\$97.00	\$87.10
Elite	250 Mbps	10 Mbps	\$172.00	\$127.00	\$117.00	\$107.10
NEXTBAND 300	300 Mbps	300 Mbps	\$150.00	\$105.00	\$95.00	\$85.10
NEXTBAND 500	500 Mbps	500 Mbps	\$200.00	\$145.00	\$135.00	\$125.10
NEXTBAND 1000	1000 Mbps	1000 Mbps	\$250.00	\$160.00	\$150.00	\$140.10

2) Updating Section X of Tariff

The public notice proposes to update section X of FPB Tariff. As technology has changed and progressed and new services are being offered, it is necessary to update the language of the tariff to reflect the current Internet product offerings.

In Section D, adding the following (new language in RED)

Effective 10/1/23: Customers in areas serviceable by NEXTBAND may no longer sign up for Standard, Premium, Ultra, or Elite packages. Customers who subscribe to NEXTBAND may no longer sign up for Standard, Premium, Ultra, or Elite packages.

NEXTBAND Package(s): Requires NEXTBAND Equipment rental. Eligible to receive a \$10.00 discount with 12-month service commitment, autopay, and ebill. Discount can be increased with GM approval based on market conditions. Not available in all areas.

In Section D, making changes to the Equipment & Fees (changes in RED):

Equipment & Fees	
Broadband Cable Modem Rental	\$3.00 Per Month
Nextband Equipment Rental	\$3.00 Per Month
Wireless Router Service (Requires Broadband Cable Modem)	\$2.00 Per Month

Whole Home Wifi Router (Requires Cable Modem or Nextband Equipment)	\$2.00 Per Month
Whole Home Access Points (Requires Whole Home Wifi Router)	\$3.00 Per Month / each
Service Activation Fee	\$30.00

John Snyder moved to approve Public Hearing Notice for Nextband to be heard on Tuesday August 22, 2023 at 5:00 p.m. or as soon thereafter as can be heard. Jason Delambre seconded the motion. CARRIED. 5 to 0.

- 4.6 Discuss Federal and State Broadband Grants and Consider Preparing a Letter to State requesting a Carve Out of Additional State Funds to Compensate for Inflation and Lower Match. (John Cubine will discuss)

Stephen Mason moved to send communication to the State regarding additional assistance for broadband expansion from new state funds to more closely match recipients in second round and reaching out to other similarly situated communities to join. Kathryn Dutton-Mitchell seconded the motion. CARRIED. 5 to 0.

- 4.7 Consider Approving Budget Amendment 2024-01 to add \$21,000 for Lawn & Landscape maintenance for the Administration building. This Item was accidentally omitted from the FY24 budget and is the same Amount that was included in the FY 23 Budget. (Leigh Ann Phillips will discuss)

Kathryn Dutton-Mitchell moved to approve Budget Amendment 2024-01 to add \$21,000 for Lawn & Landscape maintenance for Administration Building. Stephen Mason seconded the motion. CARRIED. 5 to 0.

- 4.8 Consider Increase in Weatherization Contract with Bluegrass Community Action Partnership

At the June 27th Board meeting, the contract with Bluegrass Community Action Partnership (BGCAP) for income qualifying weatherization services was renewed for the 23-24 fiscal year. During the contract renewal discussions, the Board indicated that unused funds from fiscal year 22-23 should be carried over and made available for services under the existing contract terms. During the previous fiscal year, \$19,126 was spent on weatherization services, leaving an unused balance of \$20,874. The original electric department budget included \$40,000 for this project.

Staff recommends revising the FY 24 electric budget to include \$60,874 for weatherization services and amending the contract with BGCAP to reflect the new funds. A portion of the funding will be used to purchase box fans which were also approved at the June meeting.

John Snyder moved to approve Budget Amendment 2024-02 to add funds unused in FY 2023 in the amount of \$20,874.

to approve Amendment 4 of the contract with BGCAP to increase the contract amount to \$60,874 for the 2023-2024 fiscal year. Stephen Mason seconded the motion. CARRIED. 5 to 0.

4.9 Consider Approving amendment to FPB's Job Classification and Compensation Plan: (Nichell Brown to discuss).

Staff asks the Board to consider approving the creation of the Director of Electric position.

The Director of Electric will coordinate activities of two departments within FPB's electric division: Electric and the Electric Engineering Department.

Based on the evaluation of the job, the classification for the Director of Electric is a grade 122 with a starting salary of \$108,430.40 and will report to the Chief Operating Officer.

In addition, Staff asks the Board to consider approving the reclassification of 9 positions: Administrative Assistant I and II, Support Services Director, Heavy Truck and Equip I, II, III, IV, Fleet Maintenance Supervisor and reclassification and title change for the Telecom Engineer Technician Supervisor to Telecommunication Engineer Technician Manager, effective July 1, 2023, based on a compensation review.

The proposed reclassification changes are below:

POSITION	Current Pay Grade	Current Pay Range	Proposed Pay Grade	Proposed Pay Range
Administration Asst. I (vacant)	104	\$18.65 - \$26.33	106	\$21.14 - \$29.84
Administration Asst. II for Electric and Water Dept. (2 employees)	106	\$21.14 - \$29.84	108	\$22.24 - \$33.37
Telecom Eng Tech Sup (1 employee) title change to Telecom Eng. Tech Mgr.	114	\$33.38 - \$50.06	116	\$38.07 - \$57.10

Supports Services Director	115	\$35.72 - \$53.59	118	\$42.75 - \$64.13
Heavy Truck and Equip I	104	\$18.65 - \$26.33	105	\$19.89 - \$28.09
Heavy Truck and Equip II	106	\$21.14 - \$29.84	107	\$21.86 - \$31.61
Heavy Truck and Equip III	108	\$22.24 - \$33.37	109	\$23.42 - \$35.12
Heavy Truck and Equip IV	110	\$24.58 - \$36.88	111	\$26.34 - \$39.52
Fleet Maintenance Supervisor	112	\$28.69 - \$43.03	113	\$31.03 - \$46.55

Funds are available in the 23/24 budget to support the creation of the Director of Electric and grade reclassifications. The proposed job descriptions are included in the detail pages for this Board item.

John Snyder moved to approve the Director of Electric position with a pay grade of 122 and add language to allow substitution of education and/or experience as follows: Bachelor's Degree plus five (5) years related experience and three (3) years management experience; or Associate's Degree plus seven (7) years related experience and four (4) years management experience. Jason Delambre seconded the motion. Carried with 4 votes "Yes" and 1 Abstain. John Cubine, John Snyder, Kathryn Dutton-Mitchell, and Jason Delambre voted "Yes" and Stephen Mason "Abstained".

John Snyder moved to table remaining grade changes until a special meeting can be called to answer board questions and to direct staff to secure a new consultant to conduct a high-level review of pay structure and report back to the board. Jason Delambre seconded the motion. CARRIED. 5 TO 0.

- 4.10 Customer Service Staffing Issue. (David Denton, Cassie Estill, and April Rhodes will discuss)

Jason Delambre moved to allow staff to implement the revised service schedule. John Snyder seconded the motion. CARRIED. 5 to 0.

- 4.11 Consider appointment of a new "Alternate Director" to KYMEA effective Aug 1, 2023, to replace Vent Foster who is retiring. The requirements are provided for in the FPB Board approved, June 2015, interlocal cooperation agreement, creating KYMEA. (Gary Zheng will discuss)

INTERLOCAL COOPERATION AGREEMENT CREATING THE KENTUCKY MUNICIPAL ENERGY AGENCY

ARTICLE III, ORGANIZATION OF THE AGENCY

Section 1. Board of Directors. The Agency shall be governed by a Board of Directors composed of one Director (the "Director") designated by the governing body of each Member of the Agency, who shall serve at the pleasure of the Member designating him or her. A Member may designate an alternate Director (the "Alternate Director") to serve in the absence of its Director. The Alternate Director shall have the power and authority to participate and vote on matters of the Board of Directors or any committee established by the Board of Directors in the absence of the designated Director. The Director and the Alternate Director must each be a member of the governing body or a senior management employee of the Member or the Member's electrical utility system.

Jason Delambre moved to appoint Travis McCullar to act as Alternate Director to KYMEA. Stephen Mason seconded the motion. CARRIED. 5 to 0.

- 4.12 Consider Approval of Change Order No. 2 for the Ammonia and Sulfuric Acid Upgrade Project at the Water Treatment Plant for \$43,930. (Bid# 1740) (Sharmista Dutta to discuss)

In December of 2021, the Board awarded the construction contract for the Ammonia and Sulfuric Acid Upgrade Project to Herrick Company for \$685,000 and Change Order 1 was approved in October 2022.

The project is nearing completion, and a few items are needed to finalize the project. An epoxy floor coating was applied to the new LAS room, the Sulfuric Acid and Corrosion Inhibitor containment areas will be recoated, and the room will be painted, and additional heat tracing for the exterior portions of the piping will be installed.

Summary:

Original Contract:	\$685,000
Change Order #1:	\$ 46,835
Change Order #2:	\$ 43,930
New Contract Price:	\$775,765

\$835,000 was budgeted for this project in Fiscal Year 22-23 and the remaining funds were rolled over to the FY 23-24 budget.

Staff recommends the Board approve Change Order #2 with Herrick Company.

John Snyder moved to approve Change Order #2 for the Ammonia and Sulfuric Acid Upgrade Project at the Water Treatment Plant for \$43,930. Jason Delambre seconded the motion. CARRIED. 5 to 0.

4.13 Discussion regarding KYMEA. (John Cubine will discuss)

Moved this item to closed session.

5 INFORMATIONAL ITEMS:

5.1 Clarify adjustment to pay compensation plan. (Nichell Brown to discuss).

All FPB eligible employees to receive the 5% COLA regardless of salary schedule.

Ratify for all employees to receive 5% cost of living increase effective July 1, 2023, and General Manager raise also effective July 1, 2023.

5.2 Recognize Vent Foster's and David Billings' Service to FPB and the Frankfort/Franklin County Community.

6 INFORMATIONAL ITEM: GENERAL MANAGERS COMMENTS

7 INFORMATIONAL ITEM: OLD & NEW BUSINESS

8 REQUEST PERMISSION TO HAVE CHAIR CALL FOR A CLOSED SESSION

8.1 Request permission to call a Closed Session pursuant to KRS 61.810(1)(c) to discuss pending or proposed litigation regarding collection matter, and breach of contract matter; and pursuant to KRS 61.810(1)(g) to discuss a specific proposal that if openly discussed would jeopardize the siting, retention, expansion or upgrading of a business.

John Snyder moved to call a Closed Session pursuant to KRS 61.810(1)(c) to discuss pending or proposed litigation regarding collection matter, and breach of contract matter; pursuant to KRS 61.810(1)(g) to discuss a specific proposal that if openly discussed would jeopardize the siting, retention, expansion or upgrading of a business; and 61.810(1)(b) deliberation on sale of real property. Kathryn Dutton-Mitchell seconded the motion. CARRIED. 5 to 0.

9 CLOSED DOOR SESSION

9.1 Come out of Closed Session.

John Snyder moved to come out of Closed Session. Jason Delambre seconded the motion. CARRIED. 5 to 0.

10 ACTION ITEM: POSSIBLE ACTION REGARDING CLOSED DOOR DISCUSSION

10.1 Action Taken.

John Snyder moved to direct staff to proceed with items 1 through 4 as discussed in closed session. Jason Delambre seconded the motion. CARRIED. 5 to 0.

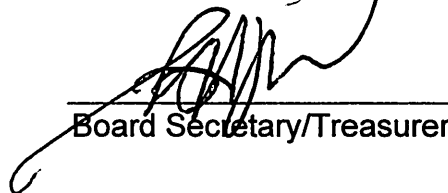
11 ACTION ITEM: ADJOURNMENT

11.1 Adjournment.

John Snyder moved to adjourn. Stephen Mason seconded the motion. CARRIED. 5 to 0.



Board Chair



Board Secretary/Treasurer